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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/619,448 | 07/16/2003 | Peter J. Laiti | 7653/80236 | 7691 |

22242 7590 12/13/2004

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| EXAMINER |
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PHAM, MINH CHAU THI

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| ART UNIT | PAPER NUMBER |
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1724

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,448

Applicant(s)

LAITI, PETER J.

Examiner

Minh-Chau T. Pham

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/13/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groen et al (5,853,441).

Groen et al disclose a portable filter unit (10) comprising a fan section (31) mounted on a movable first cart wherein the fan section comprises first and second opposite lateral ends (36 & 37, col. 2, lines 29-37), a filter section (12) mounted on a second movable cart, wherein the filter section comprises third and fourth opposite lateral ends (16 & 17, col. 1, lines 51-61), wherein the fan section and filter section are adapted for releasably attachable interconnection of either the opposite lateral ends of the fan section in abutting relationship with either of the opposite lateral ends of the filter section (col. 3, lines 31-37). Groen et al further disclose the interconnection being a releasable mechanical fastener with a latch (68) having two or more releasable mechanical fasteners positioned around the circumference of the respective lateral ends of the filter and fan sections (68, 69 & 70). Groen et al also disclose the first (31) and second carts (12) are adapted with cart rolling means (38 and 19 respectively), the fan section (41) comprising a motor (42) operable to drive a fan on board of the fan section cart and the enclosure airspace comprising a negative air pressure environment (col. 7, lines 29-37). Groen et al also disclose a method for filtering contaminants from air

Art Unit: 1724

comprising the steps of making a fluid connection between and enclosure airspace and outside airspace, positioning the filter unit in the enclosure airspace having a filter unit with a fan section on a movable cart, a filter section on a movable cart wherein the fan section and filter section are releasably attachable interconnection with each other, operating the fan to move a contaminated air stream through the filter section to remove contaminants and discharging decontaminated air stream from the filter unit into the airspace. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a portable unit as taught by Groen et al to provide an compact filtration unit which can be transported from one place to another for cleaning and decontamination of residential building or enclosure.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Groen et al (5,853,441), in view of Vross et al (6,022,389).

Claim 6 calls for multiple filter sections within the filter unit comprising a dust prefilter, an HEPA filter and a gas adsorbent filter. Vross et al discloses a portable filter unit for removal of noxious fumes comprising a series of filter media such as a dust prefilter (40), a HEPA filter (48) and a gas adsorbent filter (49) (see col. 7, lines 18-37). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a multiple layers of filtration media as taught by Vross et al in the portable filter unit of Groen et al to provide high filtration efficiency to remove all different types of contaminants in the air stream and effectively decontaminated the air stream passing therethrough.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Janus et al (6,383,241 B1) disclose a protective filtration system for enclosure within buildings.
- Fuchs (6,328,775 B1) discloses a protection system against the penetration of contaminated air into a protective space.
- Smith (6,616,720 B1) discloses a portable airborne contamination control system.
- Chaurushia et al (6,607,573 B1) disclose a portable air pollution control apparatus.
- Teagle (6,402,613 B1) discloses a portable environmental control system.
- Greenleaf, Sr. (5,417,729) discloses a portable modular air cleaning system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Minh-Chau Pham
Patent Examiner
Art Unit: 1724
December 10, 2004